

IN RE: PETITION FOR SPECIAL HEARING
S/S Baltimore National Pike,
330' E of St. Agnes Lane
1st Election District
1st Councilmanic District
Catonsville Plaza Ltd. Part.
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 91-231-SPH
* Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a special hearing to approve a sign which has been painted on the west wall of an existing building on the subject property, zoned B.M.-C.C.C., as being in compliance with Section 413.2(a) and other related provisions of the Baltimore County Zoning Regulations (B.C.Z.R.), as more particularly described on Petitioner's Exhibit 1.

The Petitioners, by Robert W. Cannon, Esquire, appeared and testified. Also appearing on behalf of the Petition was George F. Salabas, Architect. There were no Protestants.

Testimony indicated that the subject property consists of 12.296 acres zoned B.M.-C.C.C. and is improved with a retail business known as the Catonsville Plaza Shopping Center, which is currently being renovated by Petitioners. Petitioners were advised on or about July 18, 1990 by written correspondence from the Zoning Enforcement Division of the Zoning Commissioner's Office that one of its tenant's signs was in violation of Section 413.2(a) of the B.C.Z.R. Petitioners subsequently filed the instant Petition for an interpretation of said regulation as it applies to the sign depicted in Petitioner's Exhibit 2. Testimony indicated that Capital Fitness is the only tenant on this side of the subject building. Petitioner argued that in the case of a multi-tenant building, the land-

lord has the right to determine the manner of allocating the permitted signage among its tenants. Petitioner further argued that areas permitted for signage to a tenant by a landlord become a portion of that tenant's premises and that the only limitation, pursuant to Section 413.2(a) of the B.C.Z.R., is that said sign shall not exceed in square feet four (4) times the length of the law. Section 413.2(a) of the B.C.Z.R. reads as follows:

"In any business zone, a sign affixed parallel to a wall of a building shall not exceed in square feet four (4) times the length of the wall to which it is affixed, and if it adjoins the eave of the roof, shall extend not more than 4 feet in height above such eave." (B.C.Z.R., 1995)

Clearly, the red and blue portion of the subject sign is part and parcel of the total logo of the signage and should be counted towards the total square footage of the subject sign for purposes of Section 413.2(a) of the B.C.Z.R. Petitioner's Exhibit 6, which is appended hereto, sets forth the sign area calculations for the subject sign. However, should the Petitioners, as suggested, paint the entire west wall blue or red, then only the letters "Capital Fitness" would be counted towards the square foot signage calculation. The difficulty in this type of case arises when an attempt is made to balance the artistic quality of a particular sign with a regulatory scheme such as the B.C.Z.R.

After due consideration of the testimony and evidence presented, it is clear the relief requested in the special hearing should be granted. In the opinion of the Zoning Commissioner, the Petitioners' request is consistent with the requirements of Section 413.2(a) and the spirit and intent of Section 502.1 of the B.C.Z.R. The Petitioners have demonstrated that the subject sign would not be a detriment to the surrounding community or adversely affect the public interest. Further, as mentioned above, if Petitioners paint the entire west wall of the subject building blue or

- 2 -

red, only the letters "Capital Fitness" will be counted toward the square foot calculation which would further reduce the total square footage of the subject sign. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the special hearing should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 5th day of April, 1991 that the Petition for Special Hearing to approve a sign which has been painted on the west wall of an existing building on the subject property, zoned B.M.-C.C.C., as being in compliance with Section 413.2(a) and other related provisions of the B.C.Z.R., in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restriction:

1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

IT IS FURTHER ORDERED that Petitioners may redesign the west wall signage to be consistent with the interpretation set forth herein without requiring an additional public hearing. However, any such redesigned signage shall be approved by the Zoning Commissioner prior to installation.

JRH:bjs

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

- 3 -

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

April 5, 1991

Robert W. Cannon, Esquire
Weinberg & Green
100 S. Charles Street
Baltimore, Maryland 21201

RE: PETITION FOR SPECIAL HEARING
S/S Baltimore National Pike, 330' E of St. Agnes Lane
(Catonsville Plaza Shopping Center)
1st Election District - 1st Councilmanic District
Catonsville Plaza Ltd. Part. - Petitioners
Case No. 91-231-SPH

Dear Mr. Cannon:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH:bjs

cc: Mr. Joel Weingarten
5518 Baltimore National Pike, Baltimore, Md. 21228

People's Counsel

file

PETITION FOR SPECIAL HEARING TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve the sign which is painted on the west wall of building on the property as being in compliance with Section 413.2(a) and the other related provisions of the Baltimore County Zoning Regulations. The property is zoned B.M.-C.C.C. (See Attachment).

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:	Legal Owner(s):
N/A	Catonsville Plaza Limited Partnership
(Type or Print Name)	(Type or Print Name)
Signature	Signature Robert W. Cannon
Address	Authorized Representative
City and State	(Type or Print Name)
Signature	Signature
Attorney for Petitioner:	c/o Mr. Hugh D. Robinson
Robert W. Cannon	One Westbrook Corporate Center, Suite 520
(Type or Print Name)	Address Phone No.
Signature	Westbrook, Illinois 60152
100 South Charles Street, 14th floor	City and State
Address	Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Baltimore, Maryland 21201	Robert W. Cannon
City and State	Name
Attorney's Telephone No.: (301) 332-8916	100 South Charles Street, 14th Floor
	Baltimore, Maryland 21201 (301) 332-8916
	Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 5 day of Jan, 1991, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 11 day of March, 1991, at 11 o'clock A.M.

J. Robert Haines
Zoning Commissioner of Baltimore County

ZCO-101

(over)

Attachment to Petition for Special Hearing

Submitted on behalf of
Catonsville Plaza Limited Partnership

The subject matter of this Special Hearing involves a legal question of interpretation of the zoning regulations. It would be wasteful of the time of the Baltimore County departments and agencies and of Petitioner and would create unnecessary expenses for Petitioner to require that a plan be prepared strictly in accordance with the checklist for filing. No useful purpose would be served. Photographs of the sign and wall will illustrate the facts.

The issue arose by virtue of a letter dated July 18, 1990 from Zoning Inspector Derek Propolis. The relevant sections of his letter read as follows:

"The violation involves the sign painted on the wall facing the west parking lot. The Baltimore County Zoning Regulations permit signs painted on walls pursuant to Section 413.2(a) (copy enclosed). In the case of Capital Fitness, we would limit the wall allowed to be painted to the leased area of Capital Fitness that is the third floor that they occupy and the stair well that is their access. Currently their painted sign occupies the exterior second floor (designated as the warehouse for Ames, nee Zayres, on the site plan submitted in a public hearing). It also extends southerly past the stairwell.

The correction of this zoning violation can occur relatively simply. The sign must be reconfigured so that in square footage it does not exceed four times the length of the leased wall. Any other painted surface would have to revert back to the color of the building, a beige color, I recall."

Petitioner respectfully suggests that the regulations do not limit the area of the sign as suggested in Inspector Propolis's communication. The only limitation is a sign which shall not exceed in square feet four times the length of the wall. In the case of the multi-tenant building, the landlord has the right to determine the manner of allocating the permitted signage among his tenants. Areas permitted for signage to a tenant by a landlord become a portion of that tenant's premises. The only limitation imposed by the regulations is the one set forth.

January 17, 1989 DESCRIPTION OF PROPERTY CATONVILLE PLAZA

Beginning on the south right-of-way line of Baltimore National Pike (U.S. Route 40) at a point approximately 330 feet east of the centerline of St. Agnes Lane, and binding on said line along an arc bending to the right with a radius of 14248.95 feet a distance of 1098.90 feet, then proceeding South 36 40'20" East 305.18 feet; thence, binding on the north right-of-way line of Old Frederick Road the following courses and distances: South 60 55'40" West 179.22 feet; thence, along the arc of a radius of 940.00 feet bending to the left, 190.90 feet; thence South 49 17'30" West 333.09 feet; thence, along the arc of a radius of 470.00 feet bending to the right 400.26 feet; thence, North 81 54'50" East 246.80 feet; thence, along the arc of a radius of 700.00 feet bending to the left 106.70 feet; thence, South 89 20'10" West 52.69 feet; thence, North 08 08'40" East 543.66 feet to the place of beginning. Containing 12.296 acres, more or less, of land.

1ST ED
1ST C.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District Lat Date of Posting 2-21-91
Posted for: Special Hearing
Petitioner: Catonsville Plaza Limited Partnership
Location of property: 5518 Baltimore National Pike, 330' E of St. Agnes Lane
Location of Sign: South side of Baltimore National Pike, in front of subject property
Remarks: None
Posted by: M. J. Smith Date of return: 2-22-91
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD. 2-21-91

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 2-14-91

THE JEFFERSONIAN,

S. Zeke Olson
Publisher

\$ 61.71

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland 21204 at 11:00 a.m.

Case number: 91-231-SPH
S/S Baltimore National Pike, 330' E of St. Agnes Lane, Catonsville Plaza Shopping Center
1st Election District
1st Councilmanic District
Catonsville Plaza Limited Partnership
Hearing Date: Thursday, March 14, 1991 at 11:00 a.m.

Special Hearing: to approve the sign which is painted on the west wall of building on the property as being in compliance with Section 413.2(a) and the other related provisions of the Baltimore County Zoning Regulations.
J. ROBERT HAINES
Zoning Commissioner of Baltimore County
CZO/990 Feb. 14.

CERTIFICATE OF PUBLICATION

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 West Chesapeake Avenue in Towson, Maryland 21204 as follows:

Case number: 91-231-SPH
S/S Baltimore National Pike, 330' +/- E of Saint Agnes Lane
Catonsville Plaza Shopping Center
1st Election District - 1st Councilmanic
Petitioner(s): Catonsville Plaza Limited Partnership
HEARING: THURSDAY, MARCH 14, 1991 at 11:00 a.m.

Special Hearing: to approve the sign which is painted on the west wall of building on the property as being in compliance with Section 413.2(a) and the other related provisions of the Baltimore County Zoning Regulations.

J. ROBERT HAINES
Zoning Commissioner of Baltimore County
CJ2009 Feb. 14

CATONSVILLE TIMES

S. Zeke Olson
Publisher

\$ 66.71



Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number

91-231

Date

3/14/91

PUBLIC HEARING FEES
000-POSTING SIGNS
ADVERTISING
TOTAL: 986.71

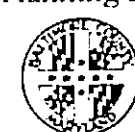
LAST NAME OF OWNER: CATONSVILLE PLAZA

Please Make Checks Payable To: Baltimore County

Cashier Validation

receipt

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



111 West Chesapeake Avenue
Towson, MD 21204

887-3353

DATE: 2/26/91

Catonsville Plaza Limited Partnership
c/o Hugh D. Robinson
One Westbrook Corporate Center, Suite 520
Westbrook, Illinois 60152

RE:
Case Number: 91-231-SPH
S/S Baltimore National Pike, 330' +/- E of Saint Agnes Lane
Catonsville Plaza Shopping Center
1st Election District - 1st Councilmanic
Petitioner(s): Catonsville Plaza Limited Partnership
HEARING: THURSDAY, MARCH 14, 1991 at 11:00 a.m.

Dear Petitioner(s):

Please be advised that \$ 36.71 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

J. Robert Haines

J. ROBERT HAINES
ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

cc: Robert W. Cannon, Esq.

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



111 West Chesapeake Avenue
Towson, MD 21204

887-3353

January 29, 1991

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

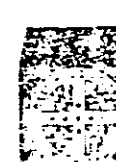
Case Number: 91-231-SPH
S/S Baltimore National Pike, 330' +/- E of Saint Agnes Lane
Catonsville Plaza Shopping Center
1st Election District - 1st Councilmanic
Petitioner(s): Catonsville Plaza Limited Partnership
HEARING: THURSDAY, MARCH 14, 1991 at 11:00 a.m.

Special Hearing to approve the sign which is painted on the west wall of building on the property as being in compliance with Section 413.2(a) and the other related provisions of the Baltimore County Zoning Regulations.

J. Robert Haines

J. ROBERT HAINES
Zoning Commissioner of Baltimore County

cc: Catonsville Plaza Limited Partnership
Robert W. Cannon, Esq.
Joel Weingarten



Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number

Date

Please Make Checks Payable To: Baltimore County

Cashier Validation

receipt

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



111 West Chesapeake Avenue
Towson, MD 21204

887-3353

February 25, 1991

Robert W. Cannon, Esquire
100 S. Charles Street, 4th Floor
Baltimore, MD 21201

RE: Item No. 236, Case No. 91-231-SPH
Petitioner: Catonsville Plaza, et al
Petition for Special Hearing

Dear Mr. Cannon:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Mr. Hugh D. Robinson
Catonsville Plaza Limited Partnership
One West Brook Corporate Center, Suite 520
Westbrook, IL 60152

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



111 West Chesapeake Avenue
Towson, MD 21204

887-3353

Your petition has been received and accepted for filing this
3rd day of January, 1990.

J. Robert Haines

J. ROBERT HAINES
ZONING COMMISSIONER

Received By:

JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

Petitioner: Catonsville Plaza Limited Partnership, et al
Petitioner's Attorney: Robert W. Cannon

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner
DATE: February 15, 1991

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Catonsville Plaza Limited Partnership, Item No. 236

In reference to the petitioner's request, staff offers the following comments:

In reviewing requests for variances to sign regulations, this office considers the amount of existing signage at a particular center, size of the sign, and compatibility with the existing structure and adjacent properties. In this case the applicant has elected not to file a site plan, which would have provided basic information to County agencies and decision makers. Therefore, the Office of Planning and Zoning feels this request is unworthy of serious consideration and recommends that the petitioner's request be denied unless further documentation is submitted.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm
ITEM236/ZAC1

received
2/20/91

Baltimore County
Fire Department
700 East Joppa Road, Suite 901
Towson, Maryland 21204-5500
(301) 887-4000
Paul H. Reincke
Chief

DECEMBER 26, 1990



Dennis F. Rasmussen
County Executive

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: CATONSVILLE PLAZA LIMITED PARTNERSHIP
Location: CATONSVILLE PLAZA SHOPPING CENTER
Item No.: 236 Zoning Agenda: JANUARY 2, 1991

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: [Signature] Noted and Approved [Signature]
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/REK

received
12/29/90

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: December 31, 1990
FROM: Robert W. Bowling, P.E.
RE: Zoning Advisory Committee Meeting
for January 2, 1991

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 229 revised, 222, 234, 235, 236, 237, 238, 239, 240, 241 and 243.

For Items 242 and 248, the previous County Review Group comments are applicable.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:s

received
1/8/91

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: James Dyer
Zoning Supervisor Date: 1/9/91
FROM: James Thompson
Zoning Enforcement Coordinator
Item No.: 91-231-SPH (if known)
SUBJECT: Petitioner: (if known)

VIOLATION CASE # C-91-117
LOCATION OF VIOLATION Catonsville Plaza
DEFENDANT S. J. W. ADDRESS

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following persons:

NAME ADDRESS
Joel Wein garten 5518 Balt. Nat
Pike 21228

After the public hearing is held, please send a copy of the Zoning Commissioner's Order to the Zoning Enforcement Coordinator, so that the appropriate action may be taken relative to the violation case.

TRI-LAND

February 11, 1991

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning
111 West Chesapeake Avenue
Towson, Maryland 21204

RE: Case No. 91-231-SPH
Catonsville Plaza Shopping Center

Gentlemen:

This is to advise you that Robert W. Cannon is the authorized representative for Catonsville Plaza Limited Partnership, the owner of the referenced shopping center and has been authorized by us to sign the Petition for Special Hearing on our behalf.

Very truly yours,
Robert W. Cannon
Catonsville Plaza Limited Partnership
by Tri-Land Catonsville Partnership, a
general partner
by Tri-Land Properties, Inc., a
general partner
by Hugh D. Robinson, Vice President.

LSB

WEINBERG AND GREEN
ATTORNEYS AT LAW

WEINBERG AND GREEN

ATTORNEYS AT LAW
100 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201-2773
(301) 332-8816
WASHINGTON AREA: 410-740-0000
FACSIMILES: (301) 332-8865
(301) 332-8863
FILE NUMBER
31070.1

February 9, 1991

VIA HAND DELIVERY

Ms. Gwen Stephens
Baltimore County Zoning Office
First Floor
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Case No. 91-231-SPH
S/S Baltimore National Pike,
330 +/- E of Saint Agnes Lane
Catonsville Plaza Shopping Center
1st Election District - 1st Councilmanic
Petitioner(s): Catonsville Plaza Limited Partnership
HEARING: THURSDAY, MARCH 14, 1991 at 11:00 a.m.

Dear Gwen:

In accordance with your request, I am enclosing a photograph of the sign on the West wall of the project which sign is the subject matter of the Special Hearing. In addition, you will find enclosed a copy of the proposed site and lease plan identified as "Amended Plat to Accompany Variance Petition" last revised by DS Thaler and Associates, Inc. on March 14, 1989 and stamped Printed March 17, 1989 DS Thaler and Associates, Inc. The sign in question is on the West wall of the premises near the North end of the building.

You indicated that this material would be of assistance in connection with the posting of the sign. Please let me know if you have any questions.

Sincerely yours,
Robert W. Cannon
Robert W. Cannon

00/05p/0081/mc
Enclosures

WEINBERG AND GREEN

ATTORNEYS AT LAW
100 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201-2773
(301) 332-8816
WASHINGTON AREA: 410-740-0000
FACSIMILES: (301) 332-8865
(301) 332-8863
FILE NUMBER
31070.4

March 12, 1991

VIA HAND DELIVERY

Mr. John L. Lewis
Zoning Office
Office of Planning and Zoning
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Case No. 91-231-SPH
Catonsville Plaza Limited Partnership

Dear John:

The hearing relating to the referenced matter is scheduled for Thursday, March 14, 1991 at 11:00 a.m. In accordance with our discussion, you will find enclosed the following:

1. Original letter designating me as the authorized representative for the owner;
2. Three copies of a plan showing the wall of the project and the measurements, together with the sign and its measurements; and
3. Three photographs of both the wall and sign.

Sincerely yours,
Robert W. Cannon
Robert W. Cannon

01alp/0081/asp

Enclosures

CASE NUMBER

91-231-SPH



PETITIONER'S EXHIBIT # 2

CASE NUMBER 91-231-SPH



PETITIONER'S EXHIBIT # 3

91-231SPH
PETITIONER'S EXHIBIT 4



Current Condition of West Grade

CATONSVILLE PLAZA CATONSVILLE MARYLAND



NELSON-SALABES, INC.
ARCHITECTS & PLANNERS
1045 TAYLOR AVENUE
BALTIMORE, MD 21204
301-828-6636

PETITIONER'S EXHIBIT 5

91-231SPH

GEORGE S. SALABES, JR., AIA, NCARB
PRESIDENT

George Salabes received his Bachelor of Architecture from Cornell University in 1963. His academic honors include The Baird Prize for Design. He joined Joseph B. Nelson Associates in 1964 after serving in the Army. The firm incorporated as Nelson-Salabes, Inc. in 1969.

Mr. Salabes has been Chairman of The Baltimore County Architectural Review Board and Vice President of the Maryland Society of Architects. He has been active in The Associated Jewish Charities and as a Board Member of the Levindale Hebrew Geriatric Centers and Hospital. He has been a Board Member of two organizations established to provide affordable housing for low income inner city residents, Home Ownership Plan Endeavor, Inc. and New Homes, Inc. He was also been a participant in the Baltimore Neighborhood Design Center.

He is a member of the National Fire Protection Association, The Building Officials Conference of America, The American Institute of Architects, The Chamber of Commerce of Metropolitan Baltimore, The Home Builders Association of Maryland and The National Association of Home Builders. He has also been secretary and program chairman of the Baltimore Chapter, AIA. Mr. Salabes was also recipient of the 1977 Grand Design Award from the National Association of Home Builders.

Renovation of 2,113 housing units, Foxchase, in Alexandria, VA, a \$100 million dollar construction project; Renovation of School 100 into 65 apartments in Baltimore City; renovation of Bay Village in Dundalk, MD, 500 units of apartments and the renovation of 600 family housing units for the U.S. Army at Aberdeen Proving Ground, MD. Other projects under his direction have included an Award Winning Heather Ridge, 120 garden and midrise apartments in Baltimore, MD; Park At Landmark, 500 apartments in Garden and midrise development in Towson, MD; Park At Landmark, 500 luxury elderly 3 mid-rise buildings in Alexandria, VA; The Burkshire of Towson, 200 luxury elderly apartments and commercial space in a mid-rise development in Towson, MD; Turt Valley, a 170 room hotel in a country club setting in Howard County, MD; Prosperity Plaza, a 100,000 s.f. office development in Fairfax, VA; and the Villages of Montgomery Run, 500 garden condominiums in Howard County, MD.

Other projects under his direction include the Jewish Community Center serving northwest Baltimore; the Master Plan and New facilities at Levindale Geriatric Center; the Nursing Center at Spring Grove State Hospital; and The Laurens Street Station for The Baltimore Metropolitan Rapid Transit System. Also to his credit are many geriatric facilities, office and residential developments, including rehabilitation/restoration.

GEORGE S. SALABES JR. AIA
JOHN R. HOLLIICK
THOMAS W. COONEY
SUSAN JOHNSON
JOSEPH B. NELSON AIA

N NELSON-SALABES, INC.
ARCHITECTS PLANNERS
1045 Taylor Avenue, Suite 208 • Baltimore, Maryland 21204-8385
Telephone (301) 828-6636 FAX (301) 828-4374

Tri-Land Properties, Inc.
One Westbrook Corporate Center
Suite 520
Westchester, IL 60154-5764

Re: Capitol Fitness Center
NSI Job No. 1589

SIGN AREA CALCULATIONS

A. SIGN AREA PERMITTED:

1. Length of Wall x 4	=	Max. Area of Sign in S.F.	
Length of Wall	=	398' x 4	= 1592 SF
Sign Area "A"	=	21'-6" x 14'	= 301 SF
2. a. Blue Area	=	22'-6" x 52'	= 1170 SF
b. Red Area	=	22'-6" x 11'	= 247.5 SF
c. White Area	=	25'-6" x 22'-6"	= 573.75 SF
d. Yellow Canopy Area	=	46 x 3	= 138 SF
TOTAL (Areas a., b.)	=		1417 SF

*White Area not considered part of sign.
*Yellow Canopy not considered part of sign.

3. Length of Wall	=	398' x 4	= 1592 SF
Area "B" (includes Blue Area "a"	=		
Red Area "b"	=		
TOTAL	=		1417.5 SF

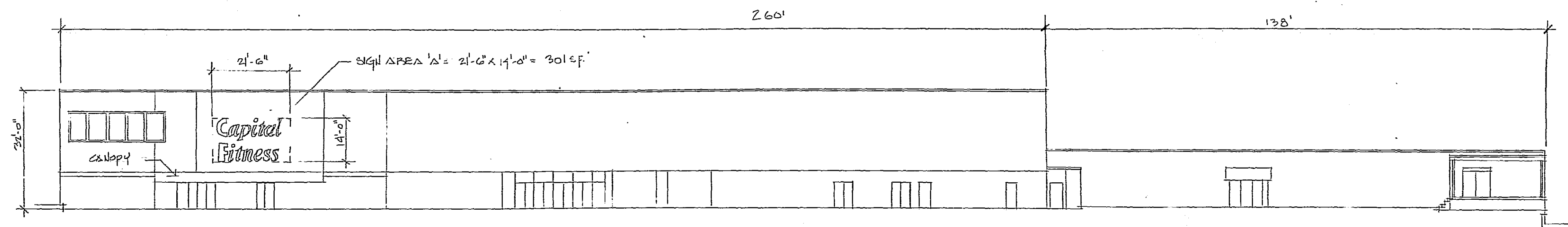
3/11/91

PETITIONER'S EXHIBIT 6

91-231 SPH

Photograph
91-231-5PH





WEST ELEVATION
1/8" = 1'-0"

CALCULATION:
LENGTH OF WALL 138'-0" x 4 = 552 SF
SIGN AREA - 1'2' = 21'-0" x 14'-0" = 301 SF

91-231-SPH

PETITIONER'S
EXHIBIT 1

NJ NELSON-SALARES, INC.
ARCHITECTS
PLANNERS
1608 Fisher Avenue, Suite 200 - Baltimore, Maryland 21204

CAPITAL FITNESS
WATSONVILLE PLAZA - BALTIMORE, MD

Sheet Title

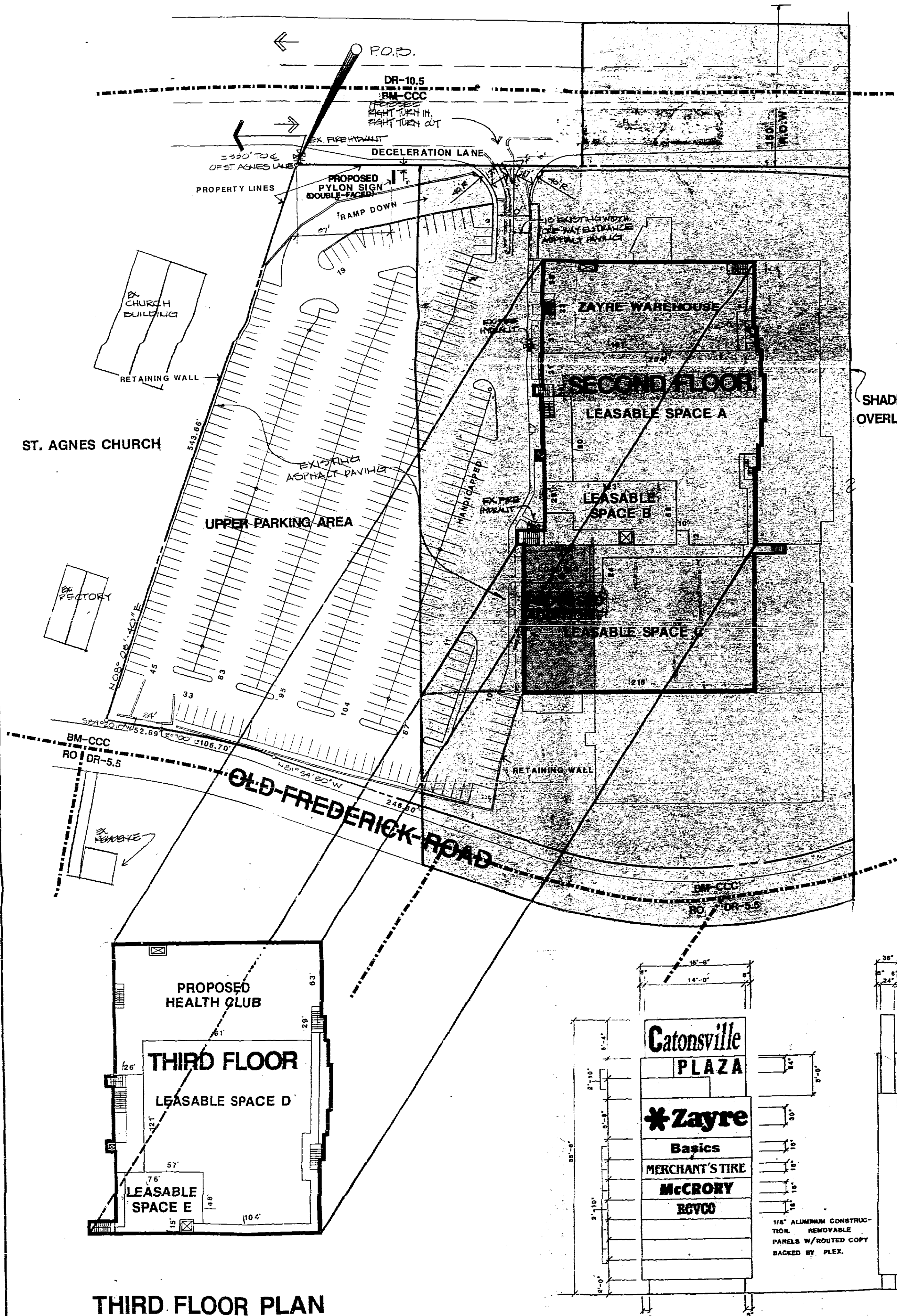
Job No.

Sheet No.

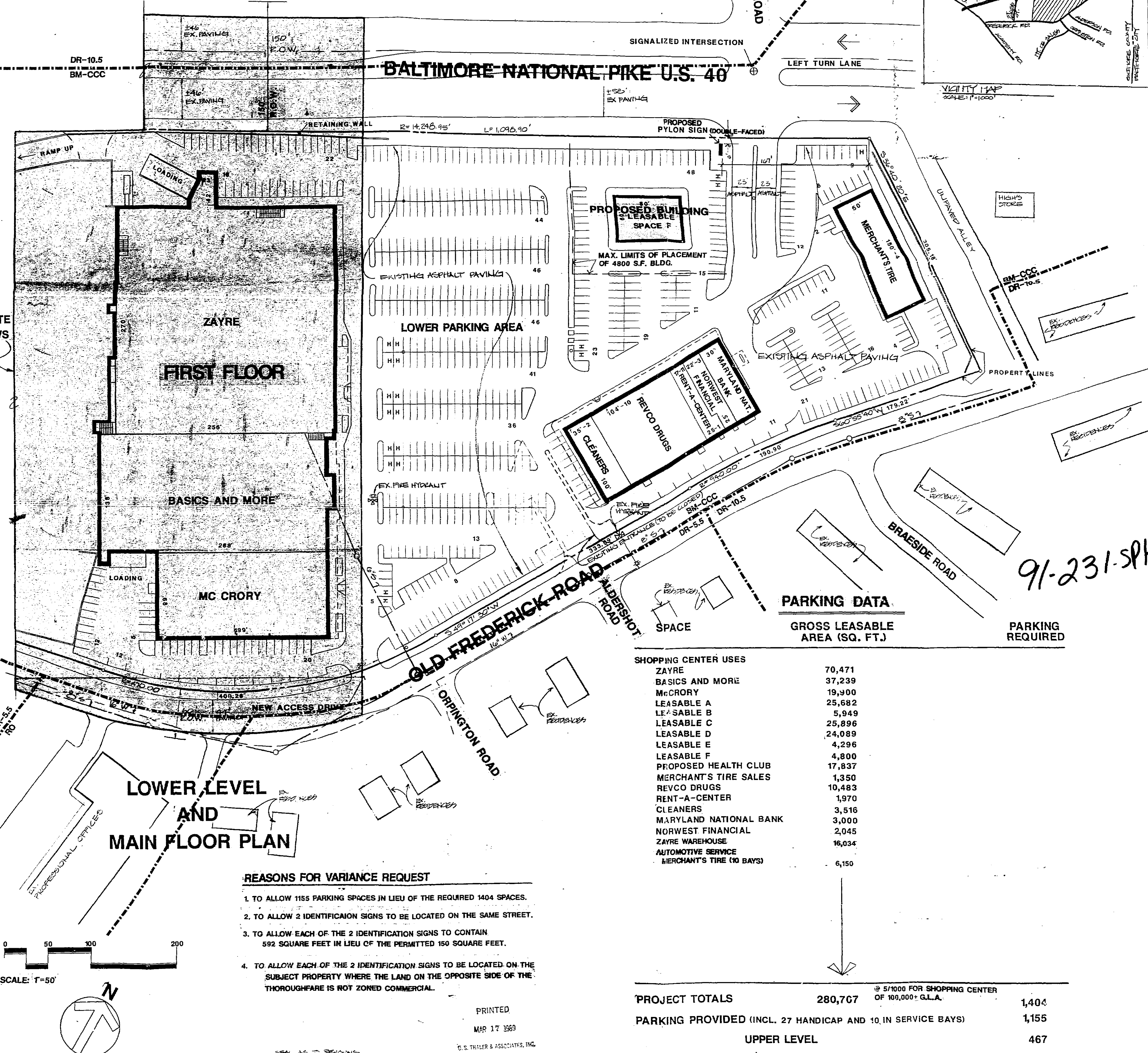
Date: 4-91

ARCHITECTS: HERBERT SCHAFFER ASSOCIATES, INC.
CHICAGO, ILLINOIS

NOTES
AREA OF PARCEL: 13.3 AC.
BUYING SCHEME: EBT-CCC
BUYING NO.: SHOPPING CENTER
ELECTION DISTRICT: 1



SHADED AREAS INDICATE
OVERLAP OF PLAN VIEWS



LOWER LEVEL
AND
MAIN FLOOR PLAN

REASONS FOR VARIANCE REQUEST

1. TO ALLOW 1155 PARKING SPACES IN LIEU OF THE REQUIRED 1404 SPACES.
2. TO ALLOW 2 IDENTIFICATION SIGNS TO BE LOCATED ON THE SAME STREET.
3. TO ALLOW EACH OF THE 2 IDENTIFICATION SIGNS TO CONTAIN 592 SQUARE FEET IN LIEU OF THE PERMITTED 150 SQUARE FEET.
4. TO ALLOW EACH OF THE 2 IDENTIFICATION SIGNS TO BE LOCATED ON THE SUBJECT PROPERTY WHERE THE LAND ON THE OPPOSITE SIDE OF THE THOROUGHFARE IS NOT ZONED COMMERCIAL.

SCALE: 1"=50'



SHOPPING CENTER USES

ZAYRE	70,471
BASICS AND MORE	37,239
MCCRORY	19,900
LEASABLE A	25,682
LEASABLE B	5,949
LEASABLE C	25,896
LEASABLE D	24,089
LEASABLE E	4,296
LEASABLE F	4,800
PROPOSED HEALTH CLUB	17,837
MERCHANTS TIRE SALES	1,350
REVOO DRUGS	10,483
RENT-A-CENTER	1,970
CLEANERS	3,516
MARYLAND NATIONAL BANK	3,000
NORWEST FINANCIAL	2,045
ZAYRE WAREHOUSE	16,034
AUTOMOTIVE SERVICE	
MERCHANTS TIRE (30 BAYS)	6,150

PARKING DATA

GROSS LEASABLE
AREA (SQ. FT.)

PARKING
REQUIRED

PROJECT TOTALS

280,767

1,404

PARKING PROVIDED (INCL. 27 HANDICAP AND 10 IN SERVICE BAYS)

1,155

UPPER LEVEL

467

LOWER LEVEL

688

REDEVELOPMENT-PHASE TWO
CATONSVILLE PLAZA
CATONSVILLE, MARYLAND

PROPOSED
SITE AND
LEASE PLAN

PROJ. NO. 8707-2
DRAWING NO.
SL-1A

D.S. THALER & ASSOCIATES, INC.
CIVIL ENGINEERS LANDSCAPE ARCHITECTS SURVEYORS
11 WARREN ROAD
BALTIMORE, MD. 21208 (301) 484-4100

AMENDED
PLAT TO ACCOMPANY VARIANCE PETITION

DATE PREPARED: 12/22/87
BY: D.S. THALER

DATE: 12/22/87
REMARKS: AMENDED PLAT TO ACCOMPANY VARIANCE PETITION

DATE: 12/22/87
REMARKS: AMENDED PLAT TO ACCOMPANY VARIANCE PETITION

DATE: 12/22/87
REMARKS: AMENDED PLAT TO ACCOMPANY VARIANCE PETITION

DATE: 12/22/87
REMARKS: AMENDED PLAT TO ACCOMPANY VARIANCE PETITION

DATE: 12/22/87
REMARKS: AMENDED PLAT TO ACCOMPANY VARIANCE PETITION

DATE: 12/22/87
REMARKS: AMENDED PLAT TO ACCOMPANY VARIANCE PETITION

DATE: 12/22/87
REMARKS: AMENDED PLAT TO ACCOMPANY VARIANCE PETITION